

REMARKS

In the Office action dated August 25, 2003, the Examiner restricted the above-identified patent application and required election of one of the following groups of claims for prosecution under 35 U.S.C. § 121:

Group I: Claims 1-26, drawn to a method for detecting the presence or activity of an analyte in a sample.

Group II: Claims 27-41, drawn to a kit for detecting the presence or activity of an analyte in a sample.

The Examiner stated that inventions I and II are related as product and process of use, and that as the product as claimed can be used in a materially different process of using that product, the inventions are distinct and restriction for examination purposes is proper.

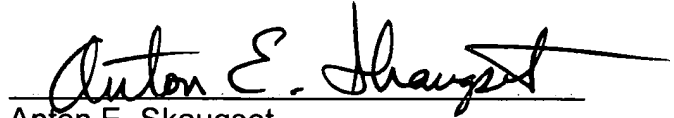
Applicants hereby elect the invention of **Group II, claims 27-41**, for prosecution in this application.

Applicants take this opportunity to amend the application. First, applicants have canceled claims 1-26, without prejudice. These claims are directed to the non-elected subject matter. Second, applicants have added new claims 83-89, directed in accordance with the election to a kit for detecting the presence and/or activity of an analyte in a sample. Third, applicants have canceled claims 27, and 31-32, without prejudice, and amended claims 28-30, 33, 34, 37-39, and 41 to depend from and/or otherwise remain consistent with claim 83. Support for the amendments may be found in the specification generally at pages 7-9, 13-17, and 19-29, and in claims 27-41 as originally filed.

The Examiner is invited to call the undersigned at (503) 224-6655 with any questions or comments regarding this paper or the application as a whole, so that the allowance of the claims may be facilitated.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22202-3513 on November 24, 2003.


Renee Knight